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CENTRAL FAX CENTER**MCKEE, VOORHEES & SEASE, PLC**
~~MCKEE VOORHEES & SEASE, PLC~~

SEP 13 2005

ATTORNEYS AT LAW

801 GRAND AVENUE • SUITE 3200 • DES MOINES, IA 50309-2721
PHONE: 515-288-3667 • FAX: 515-288-1338 • www.ipmvs.comDATE: September 13, 2005

TO: Art Unit 1638 - Mail Stop Amendment

COMPANY: USPTO

PHONE:

FAX: 571-273-8300

FROM: LILA A. T. AKRAD

NUMBER OF PAGES (Including cover): 10

Please file the attached **PRELIMINARY AMENDMENT** for the following:

APPLICANTS : CHAPKO, Louis Brian et al.
SERIAL NO : 10/781,388
FILED : February 18, 2004
TITLE : INBRED MAIZE LINE PH7JB

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Grp./A.U. : 1638
Examiner :
Conf. No. : 1916
Docket No. : P06264US01 - PHI 1368C

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CENTRAL FAX CENTER**SEP 13 2005****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : **CHAPKO, Louis Brian et al.**
SERIAL NO : **10/781,388**
FILED : **February 18, 2004**
TITLE : **INBRED MAIZE LINE PH7JB**

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PRELIMINARY AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It is respectfully requested that this Preliminary Amendment be entered and made of record in response to the recent Board of Appeal decisions in U.S. Patent applications 10/000,311; 09/771,938; and 09/772,520 and the applicability of the reasoning of those Board decisions to the claims and arguments in the present case. The following amendments and remarks place the application in form for allowance. No new matter is presented, as such the Amendment is proper under 37 C.F.R. § 1.115. Applicants respectfully request reconsideration.

09/14/2005 SSITHIB1 00000018 260084 10781388

01 FC:1201 200.00 DA
02 FC:1202 700.00 DA

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

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Date: 9/13/05
LILA A. T. AKRAD

Introductory Comments

Claims 1-10 are pending in the present application.

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 8 of this paper.